

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 6302 of 2021

Arsad Ali	...	Petitioner
	Versus	
The State of Jharkhand	...	Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner	: Mr. Gautam Kr. Singh, Advocate
For the State	: Mr. P.K. Chatterjee, Spl. P.P.

Order No.02 Dated- 07.09.2021

Heard the parties through video conferencing.

Learned counsel for the petitioner personally undertakes to remove the defects as pointed out by the stamp reporter within two weeks after the lockdown period is over.

In view of the personal undertaking of the learned counsel for the petitioner, the defects pointed out by the stamp reporter are ignored for the present.

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Barharwa P.S. Case No.40 of 2021 registered under sections 414/34 of the Indian Penal Code, Section 41/42 of Forest Act.

The Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner is the owner of the seized tractor which was involved in transportation of illegally extracted coal. It is further submitted that the allegations against the petitioner are all false. It is next submitted that the petitioner has no criminal antecedent as has been mentioned in paragraph no. 13 of the anticipatory bail application. It is then submitted that the petitioner is ready and willing to furnish sufficient security including cash security and undertakes to cooperate with the investigation of the case. Hence, it is submitted that the petitioner be given the privilege of anticipatory bail.

Learned Spl. P.P. opposes the prayer for grant of anticipatory bail.

Considering the submissions of the counsels and the fact as discussed above, I am of the opinion that it is a fit case where the above named petitioner be given the privilege of anticipatory bail. Hence, in the event of his arrest or surrender within a period of six weeks from the date of this order, he shall be released on bail on depositing cash security of Rs.5000/- and on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Rajmahal, in connection with Barharwa P.S. Case No.40 of 2021 with the condition that the petitioner will cooperate with the investigation of the case and appear before the Investigating Officer as and when noticed by him and will furnish his mobile number and a copy of his Aadhar Card in the court below with the undertaking that he will not change his mobile number during the pendency of the case subject to the conditions laid down under section 438 (2) Cr. P.C.

(Anil Kumar Choudhary, J.)

Gunjan-